

**REMARKS**

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-13 will be pending. By this amendment claims 1-3 have been amended; and claims 4-13 have been added. No new matter has been added.

**§ 103 Rejection of Claims 1-3**

In Section 2 of the Office Action, the Examiner has rejected claims 1-3 under 35 U.S.C. §103(a) as being anticipated by Roop *et al.* (U.S. Patent 5,619,274; hereinafter referred to as "Roop") in view of Amano *et al.* (U.S. Patent 5,585,865; hereinafter referred to as "Amano").

In the Background section of the Specification, it was disclosed that "even if attempts are made to enter a new broadcast program while recording is being performed, the new broadcast program cannot be entered into the recording management information and retrieval at later time cannot be performed" *Background of the Specification, page 2, lines 8-12.*

To solve this problem, embodiments of the present invention include method and apparatus for broadcast program recording using EPG data. For example, the structure of a broadcast program recording apparatus in claim 1, as presented herein, includes:

"a tuner section for receiving a broadcast program containing broadcast program information;

an EPG decoder section for decoding the received broadcast program information to output the EPG data, which includes a current time and a broadcast program start time;

a controller configured to extract recording management information from the decoded EPG data, wherein said controller compares the current time with the broadcast program start

time, outputs a match signal in response to substantial coincidence of time between the current time and the broadcast program start time, and *enters a new broadcast program into said recording management information when the match signal is output; and*

*a recording section for recording the broadcast program using the recording management information.”*

*Claim 1 (emphasis added)*

Therefore, the broadcast program recording apparatus of claim 1 enables entering a new broadcast program into the recording management information when there is a substantial match between the current time and the broadcast program start time. Accordingly, “it is possible to enter the new broadcast program without a user having to perform a special operation, thereby improving the ease of operation.” *Specification, page 3, lines 16-18.*

The Examiner indicates in Section 3 that Roop fails to explicitly disclose a decoder configured to decode the EPG data. Since the recording management information is extracted from the EPG data in claim 1, it is maintained that Roop fails to teach or suggest having recording management information. The Examiner also indicates that Amano teaches EPG data in the form of “extended data services”. However, Amano fails to teach or suggest extracting information similar to the recording management information from the “extended data services”. Furthermore, Amano fails to teach or suggest entering a new broadcast program into the recording management information when there is a substantial match between the current time and the broadcast program start time.

Based on the foregoing discussion, it is maintained that Roop and Amano, in combination or individually, fail to teach or suggest the recording management information or entering a new broadcast program into the recording management information when there is a substantial match

between the current time and the broadcast program start time. Furthermore, since claims 2-3 depend from claim 1, claims 2-3 should also be allowable over the combination of Roop and Amano. Accordingly, it is submitted that the Examiner's rejection of claims 1-3 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

#### Newly-added Claim

Newly-added independent claims 8, 12, and 13 are method, program, and system claims, respectively, that closely parallel and include substantially similar limitations as claim 1. Therefore, in light of the above discussion regarding claim 1, claims 8, 12, and 13 should also be allowable over the combination of Roop and Amano. Furthermore, since claims 9-11 depend from claim 8, claims 9-11 should also be allowable over the combination of Roop and Amano.

#### Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-13 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

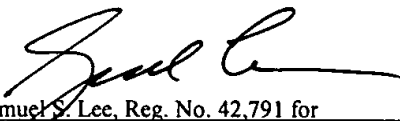
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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